

REMARKS

The Final Office Action rejects dependent Claim 4 as being unpatentable over Fitzgerald in view of Selkirk. Dependent Claim 4 includes all the limitations of independent Claim 1 in addition to:

The method of claim 1 further comprising:
the first storage device receiving the first write transaction;
the first storage device storing first write information in an entry of a first tag table, wherein the first write information comprises the first tag and an identity of a logical block where data D is to be written, wherein the first tag table is stored in first memory;
the second storage device receiving the second write transaction;
the second storage device storing second write information in an entry of a second tag table, wherein the second write information comprises the second tag and an identity of a logical block where data D is to be written, wherein the second tag table is stored in second memory.

Dependent Claim 4 recites storing first and second write information into respective entries of first and second tag tables. The first write information comprises the first tag and an identity of a logical block where data D of the first write transaction is to be written, and the second write information comprises the second tag and an identity of a logical block where data D of the second transaction is to be written. Although not claimed, the first and second tag tables can be used for recovering mirror consistency.

In rejecting dependent Claim 4, the Office Action asserts that Fitzgerald discloses first and second storage devices receiving the claimed first and second write transaction, citing column 1, lines 32-35 in support thereof. For the purposes of this response only, Applicants will presume that Fitzgerald does teach the claimed first and second storage devices receiving the first and second write transactions, respectively, as argued in the Office Action.

Notwithstanding, Applicants assert Claim 4 is patentable.

The Office Action admits that Fitzgerald fails to teach the remaining limitations of dependent Claim 4. The Office Action then asserts that Selkirk discloses these missing limitations. Specifically, the Office Action asserts that Selkirk teaches the first storage device storing the first tag and an identity of the logical block where data D is to be written in an entry of a first tag table, and the second storage device storing the second tag and an identity of the logical block where data D is to be written in an entry of a second tag table, citing column 9, line 58, and column 10, lines 30-34 in support thereof. Applicants disagree with this assertion.

Column 9, line 58 of Selkirk recites a “multi-layer virtual mapping tree.” Column 10, lines 30-34 of Selkirk recites:

The computer storage subsystem may be organized using multiple layers of mapping tables which may provide unique identification of the storage location of the data such that individual entries in the mapping tables are variable and may be made self-defining with respect to the amount of data managed.

Dependent Claim 4 recites storing write information in table entries. The write information not only includes an identity of a logical block where data is to be written, but it also includes tags of the write transactions. While column 10, lines 30-34 may talk about entries in tables that can be used to provide unique identification of storage locations, column 10, lines 30-34 does not teach or fairly suggest that these table entries also store tags of write transactions. At the very least, column 10, lines 30-34 of Selkirk does not teach or fairly suggest storing reference labels of Fitzgerald, which were equated with the claim’s first and second tags, in the entries of the mapping tables.

To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge available to one of ordinary skill in the art, to modify the reference or to provide reference teachings. Second, there must be a reasonable expectation of success. Finally, and perhaps more importantly, the prior art references must teach or suggest all the claim limitations. *See* MPEP 2142. Given that the cited sections of Fitzgerald and Selkirk do not teach or fairly suggest all the limitations of dependent Claim 4, it follows that the Office Action has failed to provide a *prima facie* basis for rejecting dependent Claim 4 under 35 U.S.C. §103. In other words, because column 9, line 58 and column 10, lines 30-34 of Selkirk fails to teach or fairly suggest storing first and second write information in first and second tag tables, respectively, wherein the first write information comprises the first tag and an identity of a logical block where data D is to be written, and wherein the second write information comprises the second tag and an identity of a logical block where data D is to be written, dependent Claim 4 is patentably distinguishable.

CONCLUSION

Applicants submit that all claims are now in condition for allowance, and an early notice to that effect is earnestly solicited. Nonetheless, should any issues remain that might be subject to resolution through a telephonic interview, the Examiner is requested to telephone the undersigned.

If any extensions of time under 37 C.F.R. § 1.136(a) are required in order for this submission to be considered timely, Applicant hereby petitions for such extensions. Applicant also hereby authorizes that any fees due for such extensions or any other fee associated with this submission, as specified in 37 C.F.R. § 1.16 or § 1.17, be charged to deposit account 502306.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Eric A. Stephenson', with a long horizontal line extending to the right.

Eric A. Stephenson
Attorney for Applicants
Reg. No. 38,321
Telephone: (512) 439-5093
Facsimile: (512) 439-5099